



# Supporting Immigrant and Migrant Students Experiencing Homelessness



# ABOUT SCHOOLHOUSE CONNECTION

- SchoolHouse Connection works to overcome homelessness through education.
- We provide strategic advocacy and practical assistance in partnership with schools, early learning programs, institutions of higher education, service providers, families, and youth.
- Website: [schoolhouseconnection.org](https://schoolhouseconnection.org)
- Newsletter: [schoolhouseconnection.org/signup](https://schoolhouseconnection.org/signup)



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# Important Terminology

- English Learner
  - Students who come from non-English-speaking homes and backgrounds and are learning English as a second (or third) language.
- Immigrant
  - A person who moves to a country and plans to stay permanently.
- Migrant
  - Someone who moves because the student and/or family are involved in seasonal agricultural or fishing work.



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# Important Terminology

- Refugees
  - People who have fled their home country due to fear of persecution for reasons of race, religion, nationality, membership in a particular social group, or political opinion, and are not in the U.S. while they are going through the initial immigration process.
    - Asylees: Refugees who are in the U.S. when going through the initial immigration process.
- Unaccompanied Alien Minors
  - Youth under age 18 who come to the U.S. without an accompanying parent or guardian. The term “unaccompanied” in this context refers to their immigration status, not their McKinney-Vento status.
    - Unaccompanied homeless youth as defined by the McKinney-Vento Act are children and youth who lack fixed, regular, and adequate nighttime residence and are also not under the care of a parent or legal guardian.



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# EDUCATIONAL RIGHTS OF UNDOCUMENTED CHILDREN AND YOUTH

- Children and youth living in the United States have the right to attend and participate fully in public schools, regardless of their immigration status.
- Schools and LEA-administered preschool programs cannot ask about a student's or family's immigration status or take other actions that could discourage students from seeking enrollment.
- Schools and LEA-administered preschool programs cannot require Social Security numbers or immigration or citizenship documentation.
- Schools and LEA-administered preschool programs cannot contact ICE or other law enforcement officials about a student's or family's immigration status.



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# EDUCATIONAL RIGHTS OF UNDOCUMENTED CHILDREN AND YOUTH

- Undocumented children and youth living in the United States have the right to participate fully in school, regardless of immigration status
- For all McKinney-Vento eligible students, regardless of immigration status, schools must address barriers to full participation in school activities, including transportation.
  - Career and Technical Education (CTE) services may require Social Security numbers or employment authorization if required for an employment or internship opportunity.
  - Foreign travel as part of an activity is not advisable for undocumented students, as their ability to reenter the U.S. is not guaranteed.



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The McKinney-Vento Act covers children and youth who lack a fixed, regular, and adequate nighttime residence.

- Sharing the housing of others due to loss of housing, economic hardship, or similar reason
- Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations



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- Living in emergency or transitional shelters.
- Living in a public or private place not designed for or regularly used as accommodations.
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings.
  - What is substandard? Check utilities, infestations, mold, dangers
- Includes unaccompanied youth and migrant students living in the above situations.



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# UNACCOMPANIED YOUTH UNDER MCKINNEY-VENTO

- A child or youth without a fixed, regular, and adequate nighttime residence and not in the physical custody of a parent or legal guardian.
- Youth run away from home due to abuse or neglect.
  - 40-60% of unaccompanied youth were abused physically at home.
  - 17-25% of unaccompanied youth were abused sexually at home.
  - Research links parental substance abuse and youth running away from home.
- Parents force youth out of the home due to conflicts.
  - Sexual orientation and gender identity
  - Pregnancy



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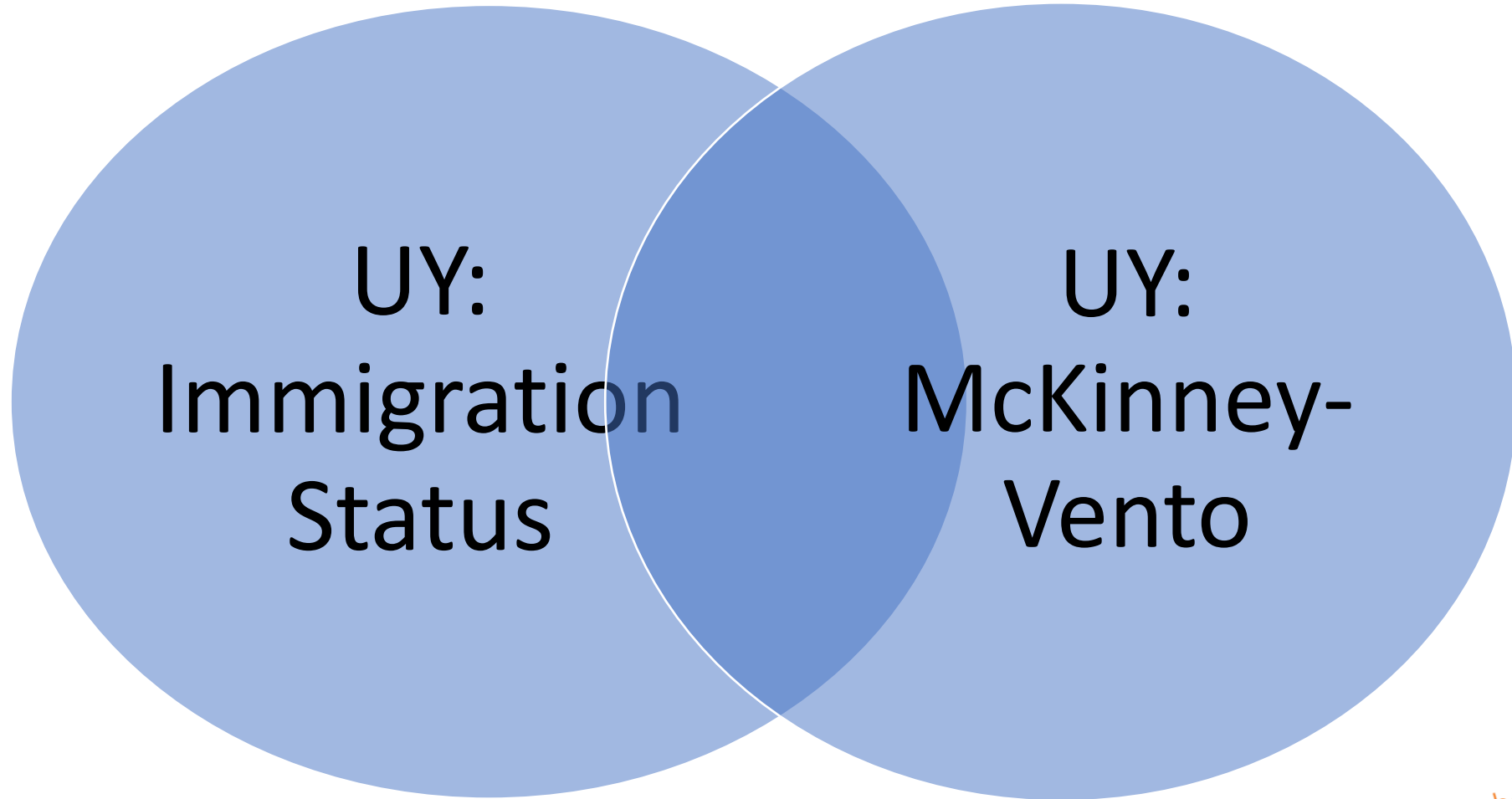
# UNACCOMPANIED YOUTH AS AN IMMIGRATION STATUS

- Children or youth coming to the U.S. alone, living with relatives, friends, or others.
- Some stay with a sponsor
  - Sponsors do not have legal guardianship
  - Living with a sponsor does not automatically mean fixed, regular, and adequate nighttime residence
  - Often sponsors allow youth to stay with them under certain conditions such as paying back immigration expenses, contributing to household expenses, etc.
  - Financial obligations may make it difficult for unaccompanied youth to attend and engage in school.



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# UNACCOMPANIED YOUTH



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# IMMEDIATE ENROLLMENT FOR UNACCOMPANIED YOUTH

- Unlike most education laws, McKinney-Vento gives rights directly to unaccompanied youth, above the rights of their parents/guardians.
  - To enroll and make decisions
  - To choose between school of origin and local school
  - To file disputes
  - To participate in activities
- This may require conflict mediation between the school, parent, and youth.
  - Call in back-up when needed!
- In some cases, a sponsor may not be an appropriate caregiver or emergency contact



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# Shared Housing

To ask or not to ask:

- Determining eligibility requires information about the student's housing situation.
- Federal law says schools cannot ask any questions that might “chill” the right to enrollment for an undocumented student.
- Be culturally competent - **shared housing should not be assumed to be a cultural choice**

- Is it due to loss of housing, economic hardship, or a similar reason, whether in the US or another country?
- Family lost housing due to natural disaster, violence (war, gangs, coup), loss of employment or subsistence
- Where would they go if they had to leave where they are staying?
- Do they have any right to be there?
- Is the housing adequate?
- “Sponsors” don't change the analysis.



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# CULTURAL CONSIDERATIONS OF DOUBLED UP

- Shared housing or multigenerational living situations:
  - Who is included on the lease?
  - Who is contributing to household costs?
  - Does everyone have adequate space to sleep?
  - Is the living arrangement for everyone's mutual benefit?
  - Are any members of the household looking for their own place to live?
  - Was one family already living in the space and another family moved in?
- Just because multigenerational families may be cultural, homeless liaisons still must evaluate each situation individually



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# MCKINNEY-VENTO ELIGIBILITY OF IMMIGRANT AND MIGRANT CHILDREN AND YOUTH

- As with all McKinney-Vento eligibility determinations, each situation should be evaluated individually.
- Immigration or documentation status does not affect McKinney-Vento eligibility.
- The right to public education for immigrant children, including undocumented children, extends to preschool programs run by LEAs and/or state agencies.
  - Families may enroll their children in Head Start and Early Head Start programs regardless of their immigration status.
- Unaccompanied minors who are living with a sponsor do not necessarily have fixed, regular, and adequate housing. Sponsors are not legal guardians.



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# STRATEGIES AND BEST PRACTICES TO SUPPORT IMMIGRANT AND MIGRANT CHILDREN AND YOUTH

- Identify immigrant families experiencing homelessness
  - Collaborate across programs to provide wrap-around services
  - Provide families with information and support they can access
  - Remove barriers for immigrant children, youth, and families
  - Build relationships with community partners
- 
- Examples:
    - New Philadelphia City Schools, Ohio
    - Metro Nashville Public Schools, Tennessee
    - Shakopee Public Schools, Minnesota



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# STRATEGIES AND BEST PRACTICES TO SUPPORT IMMIGRANT AND MIGRANT CHILDREN AND YOUTH

- Relationships!
- Building trust is essential
- Identification
- Accommodate unique circumstances
  
- Example: New Philadelphia City Schools, Ohio
  
- Additional Resources:
  - Colorín Colorado: [How to Build Relationships with Immigrant Families](#)
  - Colorín Colorado: [How Immigration Status Affects Students, Families, & Schools](#)
  - Colorín Colorado: [Helping Students Heal Through Love and Trust: A Social Worker's Perspective on Serving Immigrant Youth](#)



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# CONSIDER THE UNIQUE NEEDS OF MIGRANT FAMILIES EXPERIENCING HOMELESSNESS

- Train migrant recruiters on the McKinney-Vento Act, including basic understanding of eligibility.
- Establish a clear process for migrant educators to make referrals to the homeless liaison.
- For states with summer-only migrant programs, work with program staff or family liaisons to help transition students to sending states, including referring to the homeless liaison in the sending district.
- When working with migrant families experiencing homelessness who have young children (ages birth – six), [check to see if there is a Migrant and Seasonal Head Start program nearby](#).

[The Head Start Program Performance Standards and Homelessness](#)



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# HIGHER EDUCATION OPPORTUNITIES FOR UNDOCUMENTED YOUTH

- Undocumented youth can apply to public colleges and universities in every state, except Alabama and South Carolina.
- Youth with legal immigration status can apply for federal aid, even if their parents are undocumented, but undocumented youth are not eligible for federal financial aid.
- A number of states offer in-state tuition and/or state financial aid to undocumented students. [See what your state offers.](#)
- (Please note that states are frequently updating and changing in-state tuition and financial aid information for undocumented youth. Please make sure to check this information your state)



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# USING ARP-HCY FUNDS

- Middletown, RI used ARP-HCY funds to hire a Family Services Coordinator to support multilingual families and contracts with Boys and Girls Clubs to provide wraparound services.
- New Philadelphia, OH used ARP-HCY funds to purchase bikes to support attendance of immigrant students within the LEA's walk zone.
- Grand Island, NE used ARP-HCY funds to hire a bilingual parent liaison to support families in the district's Early Learning Center access summer resources.
- Monte del Sol, NM used ARP-HCY funds to hire a bilingual benefits navigator to help families navigate housing in their native language.
- Shakopee Public Schools, MN is using ARP-HCY funds to provide mental health supports for immigrant high school students to navigate and manage the trauma of their immigration experiences.
- For more ideas about how to use ARP-HCY, take a look at SchoolHouse Connection's Resources:
  - [Allowable and Strategic Uses of ARP-HCY Funds](#)
  - [ARP-HCY spotlights](#)



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# IMMIGRATION UPDATES: A CONSTANTLY CHANGING LANDSCAPE

- Temporary Protected Status (TPS)
- Ukraine and Afghanistan
- Deferred Action for Childhood Arrivals (DACA)
- Public Charge Rule



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# TEMPORARY PROTECTED STATUS (TPS)

- Temporary immigration relief for people from countries impacted by natural disasters, civil war, epidemics, or other emergencies.
- Can include work authorization.
- Current eligible countries: Afghanistan, Burma, Cameroon, El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, South Sudan, Sudan, Syria, Ukraine, Venezuela, Yemen



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# UKRAINE

- “Uniting for Ukraine”
  - Displaced Ukrainian citizens and their immediate family members who are outside the United States can come to the United States and stay temporarily for up to two years.
  - **Must have a supporter** in the United States who agrees to provide them with financial support for the duration of their stay in the United States.
  - <https://www.dhs.gov/ukraine>
- Support Those Fleeing Ukraine After the Russian Invasion | Center for Gender and Refugee Studies



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# AFGHANISTAN

- Special immigrant visas for Afghans employed by/on behalf of the U.S. government: 8,000 total approved last year.
- Humanitarian parole: Case-by-case
  - Eligible for public benefits and/or Refugee Cash Assistance (up to 8 months)
  - **Some** received refugee resettlement support
  - Some receive employment assistance
- Benefits for Afghan Humanitarian Parolees
- Assistance for Afghans | Catholic Legal Immigration Network, Inc. (CLINIC)



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# STATUS OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

- People who have received DACA in the past can and should apply for renewals.
- People who have never had DACA status before can apply, BUT applications cannot be processed.
- Litigation on the future of the program is ongoing.
- It is not advisable for DACA applicants or recipients to leave the country, as Customs and Border Patrol officers can deny re-entry at their discretion.



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# “PUBLIC CHARGE RULE”

- Receipt of public benefits is grounds to deny legal permanent residence, a visa, or admission to the US.
- Does not apply to asylees/refugees, T/U visa holders, others.
- Expansions enacted under the Trump Administration are no longer in effect.

- **Applicable timeline:** 12 aggregate months of benefits in a 3-year period.
- **Included:**
  - SSI, TANF
  - State/local general assistance
  - Long-term institutionalization at public expense (nursing home)
- **Not included:**
  - McKinney-Vento services
  - Any other education benefit, including free meals, Head Start and financial aid for college
  - WIOA, WIC, CHIP
  - Medicaid or other health care
  - SNAP
  - Public housing, Section 8



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# Additional Resources

**BOOKMARK THIS PAGE:**  
[www.schoolhouseconnection.org/immigration](http://www.schoolhouseconnection.org/immigration)

- SchoolHouse Connection: [Strategies for Supporting Immigrant and Migrant Students Experiencing Homelessness](#)
- SchoolHouse Connection: [Immigrant Students Experiencing Homelessness: Liaisons' Strategies](#)
- SchoolHouse Connection: [Immigrant Students: How Schools Can Help](#)
- Sesame Street In Communities: [Supporting Families Resettling in the U.S.](#)
- Colorín Colorado: [Guides and Toolkits](#)
- National Immigration Law Center: [Basic Facts about In-State Tuition for Undocumented Immigrants](#)



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